

**AMENDMENT TO MEMORANDUM OF UNDERSTANDING  
BETWEEN  
CITY OF MILPITAS  
AND  
MILPITAS SUPERVISORS ASSOCIATION**

WHEREAS, the City of Milpitas ("City") and Milpitas Supervisors Association ("MSA") have entered into a Memorandum of Understanding with effective dates July 1, 2002 through December 31, 2005 ("MOU"); and

WHEREAS, Appendix A7 of the MOU currently provides that the City will increase the base salary for employees represented by MSA by 2.5% effective the first full pay period in July 2005; and

WHEREAS, Section 32.07.3 of the MOU currently provides that the City shall make a total contribution to the Laborers' International Union of North America National (Industrial) Pension Fund ("LIUNA Pension Fund") equal to \$1.00 per hour, per employee covered by the MOU, up to forty (40) hours per week of budgeted/approved work hours that the employee is on paid status; and

WHEREAS, the City and MSA have met and conferred in good faith regarding contributions to the LIUNA Pension Fund described in Section 32.07.3 of the MOU, the wage increase described in Appendix A7 to the MOU, and the extension of the current MOU.

NOW, THEREFORE, the parties agree as follows:

1. In lieu of receiving the wage increase referenced in Appendix A7 to the MOU, the City and MSA agree that, for all employees covered by the MOU on the date this Side Letter is executed:
  - a. The City will contribute to the LIUNA Pension Fund an additional \$1.00 per hour per employee for up to forty (40) hours each week that the employee is on paid status, effective the first pay period in July 2005. The cost of this increase is equivalent to 2.05% of base salary.
  - b. The remaining 0.45% (i.e., 2.5% minus 2.05%) will be contributed by the City as an increase in base salary effective the first pay period in July 2005.
2. The MOU shall be extended by one calendar year from January 1, 2006 through December 31, 2006.
3. MSA shall not receive any further wage increase for the time period from the first full pay period in July 2005 through December 31, 2006, other than the wage increase described in paragraph 1.b above unless, the City agrees to provide another bargaining unit a wage increase to be effective between the first full pay period in July 2005 and December 31, 2006. Any wage increase agreed to by the City with another bargaining unit shall become

effective for MSA on the date agreed to by City Council or the first full pay period in January 2006, whichever date is later. For instance, if Bargaining Unit X receives a 2% wage increase effective the first full pay period in July 2005, MSA would receive the same increase effective the first full pay period in January 2006 (the later date between the first full pay period in July 2005 and the first full pay period in January 2006) through December 31, 2006. The intention of this clause is to ensure that MSA receives the same wage increase for the period from the first full pay period in January 2006 through December 31, 2006, as any other bargaining unit may negotiate for the time period from the first full pay period in July 2005 through December 31, 2006.

4. The City and MSA acknowledge that this Side Letter requires approval by the City Council. Any amounts owed under paragraph 1 of this Side Letter shall be made effective the first full pay period in July 2005 if this Side Letter is approved by the City Council.

Dated:

21 July 05

Eddie Lored  
Eddie Lored, MSA President

Dated:

July 22, 2005

Al Bennett  
Al Bennett, LIUNA, AFL-CIO Local 270

Dated:

7/21/05

Carmen Valdez  
Carmen Valdez, Acting Director – Human Resources  
City of Milpitas

**MILPITAS SUPERVISORS ASSOCIATION**

**SALARY SCHEDULE**

Effective first full pay period in July 2005  
(Includes Proposed 0.45% Increase)

Fleet Maintenance Supervisor	\$84,967	-	\$103,277
Maintenance Supervisor - 37.5 Hrs	\$75,291	-	\$91,515
Maintenance Supervisor - 40 Hrs	\$80,310	-	\$97,617
Public Services Supervisor	\$62,711	-	\$76,226
Senior Maintenance Supervisor	\$88,342	-	\$107,379

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MILPITAS  
AMENDING THE MEMORANDUM OF UNDERSTANDING  
WITH THE MILPITAS SUPERVISORS ASSOCIATION**

WHEREAS, the City of Milpitas ("City") and Milpitas Supervisors Association ("MSA") have entered into a Memorandum of Understanding with the effective dates July 1, 2002 through December 31, 2005 ("MOU"); and

WHEREAS, Appendix A1 and Appendix A7 of the MOU currently provides that the City will increase the base salary for employees represented by MSA by 2.5% effective the first full pay period in July 2005; and

WHEREAS, Section 32.07.3 of the MOU currently provides that the City shall make a total contribution to the Laborers' International Union of North America National (Industrial) Pension Fund ("LIUNA Pension Fund") equal to \$1.00 per hour, per employee covered by the MOU, up to forty (40) hours per week of budgeted/approved work hours for each MSA represented employee that is on paid status; and

WHEREAS, the City and MSA have met and conferred in good faith regarding contributions to the LIUNA Pension Fund described in Section 32.07.3 of the MOU, the wage increase described in Appendix A1 and A7 to the MOU, and the desire to extend the current MOU.

NOW, THEREFORE, the parties agree as follows:

1. In lieu of the wage increase referenced in Appendix A1 and A7 to the MOU, the City and MSA agree that, for all employees covered by the MOU on the date the Side Letter is executed:
  - a. The City will contribute to the LIUNA Pension Fund an additional \$1.00 per hour per employee for up to forty (40) hours each week, effective the first pay period in July 2005. The cost of this increase is equivalent to 2.05 % of base salary.
  - b. The remaining 0.45% (i.e., 2.5% minus 2.05%) will be contributed by the City as an increase in base salary effective the first pay period in July 2005 as shown in Exhibit "A" attached.
2. Extend the MOU for one calendar year from January 1, 2006 through December 31, 2006.

NOW, THEREFORE BE IT RESOLVED that the Memorandum of Understanding between the City of Milpitas and the Milpitas Supervisors Association is hereby amended and adopted.

PASSED AND ADOPTED this 2<sup>nd</sup> day of August, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Steven T. Mattas, City Attorney